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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/021,971 | 12/13/2001 | Everardo Correa | 01LUC96503 | 1989 |

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EXAMINER

PRASAD, CHANDRIKA

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,971

Applicant(s)

CORREA ET AL.

Examiner

Chandrika Prasad

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Applicant's Reply

1. The reply filed on 5/29/03 consists of remarks related to rejection of claims. The claims are not allowable as explained below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmitt et al.

Schmitt (Figures 1-3b) shows a circuit card package 10 with a first circuit card 30 with a first card edge 30a connected to an interface adaptor board (motherboard) 14 by a connector 36 wherein the adapter board has a card edge connector 34 for mounting another circuit card 32 such that the cards 30, 32 are parallel to each other and orthogonal to the adaptor board. The board has another connector (unnumbered) to mount another card parallel to cars 30, 32.

Schmitt further shows a substantially planar faceplate bracket 38 orthogonal to the circuit cards 30, 32 and having a plurality of openings for accepting the circuit cards by latches 40, 42 and a second bracket member (not numbered) formed by a side and base for supporting the adaptor board and the circuit cards wherein the side and the base are at right angles.

But Schmitt does not show the connector 36 on the card edge 30a. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide the connector 36 on the card edge 30a because this would require a mere rearrangement of parts, which involve only routine skill in the art.

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4. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmitt et al. in view of Boyer.

Schmitt shows all the features of these claims as described in Paragraph 4 above except the latch member with an opening and a spring on the second bracket member. Such structure or latching is well known in the art of electrical connectors. Boyer shows such a structure or latching mechanism (a latch 47 engaging an opening 46). Boyer further discloses that the latch may include a spring. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide such a structure or a latching mechanism on the Schmitt's circuit cards and the bracket because this would provide a flexible means to secure the card to the bracket as shown by Boyer.

Response to Arguments

5. Applicant's arguments with respect to claim 1-4 have been considered but are not persuasive. The applicant's depiction of the instant invention (Figure 2 of the attachment) is not correct. The unnumbered backplane and the unnumbered connector on the backplane are neither shown in the drawing nor positively claimed. The claim 1 simply recites a first circuit card **insertable** (emphasis added) into a connector on a backplane. The only figure of the instant invention simply shows two cards 12 and 17 parallel to each other and connected to the adaptor board 26 at right angles to cards 12, 17 wherein the adaptor board has a card edge connector to connect another card parallel to cards 12 and 17. Schmitt clearly shows such a feature i.e., cards 30, 32 parallel to each other and connected to an adaptor board 14 at right angles and board 14 having another connector (unnumbered) to receive another card parallel to the cards 30, 32.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Leman, DeWitt et al. and Stancil also show configurations similar to those of

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Schmitt. At least, claim 1 (the only independent claim in the instant invention) is clearly anticipated by DeWitt (Figures 1, 3 and 6) and is rejectable under 102(b).

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

8. Any enquiry concerning this communication or earlier communications from the examiner should be directed to Chandrika Prasad at (703) 308-0977. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached at (703) 308-2710. The fax number for this Group is (703) 872-9318 (general) and (703) 872-9319 for after-final. Any inquiry of a general nature should be directed to the Group receptionist at (703) 308-1782.


Chandrika Prasad
Patent Examiner
July 1, 2003